GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

CH&FW – Implementation of Pre-Conception & Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994 & Rules 1996 (PC&PNDT Act & Rules) - Reconstitution of State Level Inspection & Monitoring Committee (SLIMC) PC&PNDT Act – Orders – Issued.

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HEALTH MEDICAL AND FAMILY WELFARE (E2) DEPARTMENT

G.O.Rt.No.746. Dated:23.12.2015.
Read the following:-

1) G. O. Rt. No. 1838; HM&FW (D1) Dept; Dated 05.11.2011.
2. From the CH&FW., AP., Hyd., Lr.Rc. No: 0275/PC&PNDT/ SLIMC/2015 (AP); Dated:01.11.2015.

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ORDER:

In G. O. 1st read above, Govt., had constituted a State Level Inspection & Monitoring Committee (SLIMC) for implementation of the PC&PNDT Act in the State.

2. The Commissioner of Health and Family Welfare, AP., Hyderabad in his letter 2nd read above has stated that due to implementation of the Andhra Pradesh State Reorganization Act 2014, it is essential to re-constitute the State Level Inspection and Monitoring Committee for the whole State of Andhra Pradesh. He has proposed for appointment of the Committee members by designation only.

3. After careful examination of the matter, Government hereby re-constitute the State Level Inspection and Monitoring Committee with the following structure, terms and conditions and functions under the Pre-Conception and Pre- Natal Diagnostic Techniques (Prohibition of sex Selection) Act 1994 and Rules 1996 in the State of Andhra Pradesh with prime motive of inspection and monitoring of all premises covered under the said Act in compliance with Hon'ble Supreme Court of India orders and the instructions of the Government of India.

4. Accordingly, the following Notification will be published in the extraordinary issue of Andhra Pradesh Gazette:-

NOTIFICATION

In exercise of the powers conferred under sub-section (1) of Section 16 A of the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 and as amended by the Pre-Natal Diagnostic techniques (Regulation and Prevention of Misuse) Act, 2002 (Central Act 14 of 2003), the Governor of Andhra Pradesh hereby re-constitutes the State Level Inspection & Monitoring Committee (SLIMC) for the whole of the State of Andhra Pradesh.

1. STRUCTURE OF THE COMMITTEE:

Sl No	Particular	Designation as per Act
I	**Commissioner of Health & Family Welfare; AP; Hyderabad (1)**	Chairperson / Chairman
II	**Eminent persons among from Gyn. & Obst., Paediatrics; Radiology and Genetics, either from Medical College or Govt. General Hospital) – (04)**	
1	Head of Dept; Obs & Gyn	Member

(P.T.O)

2	Head of Dept,of Paediatrics	Member
3	Head of Dept, Radiology & Sonology	Member
4	Head of Dept Geneticist	Member
III	**Eminent Medical organizations / Associations – (06)**	
1	The President / Secretary, AP State Medical Council	Member
2	The President / Secretary, Indian Radiological and Imaging Associations (IRIA), State Branch; AP	Member
3	The President / Secretary, AP Private Hospitals and Nursing Association (APNA); State Branch; AP	Member
4	The President / Secretary Indian Medical Association (IMA); State Branch: AP	Member
5	The President / Secretary, Family Planning Association of India, (FPAI); State Branch, AP	Member
6	The President / Secretary, Indian Red Cross Society; Sate Branch	Member
IV	**Legal Expert - The Circulating Officer in Law Department dealing with subject HM&FW Dept; (Joint Secretary; Law Dept; AP) - (01)**	Member
V	**Regional Directors of Medical & Health Services in the State - (04)**	
1	The Regional Director of Medical & Health Services; Visakhapatnam	Member
2	The Regional Director of Medical & Health Services; Rajahmundry	Member
3	The Regional Director of Medical & Health Services; Guntur	Member
4	The Regional Director of Medical & Health Services; YSR Kadapa	Member
VI	**Representative from NGO / Other service organizations – (03)**	
1	NGO / Other service organization (to be nominated by C.H & F.W)	Member
2	NGO / Other service organization (to be nominated by C.H & F.W)	Member
3	The Member, Multi-Member State Appropriate Authority for PC&PNDT Act under NGO Category The Secretary; M/s Vasavya Mahila Mandali; Nirmal Convent School; Benz Circle; Vijayawada	Member
VII	**State Nodal Officer / Additional Director (MCH); O/o Commissioner of Health & Family Welfare; AP; Hyderabad – (1)**	Member Secretary / Convener
VIII	**THE CO-OPTED MEMBERS – (7)**	
1	The Mission Director, National Rural Health Mission, O/o Commissioner of Health & Family Welfare; AP; Hyderabad	Co-opted Member
2	The Director of Public Health & Family Welfare; AP; Hyderabad	Co-opted Member
3	The Director of Medical Education, AP; Hyderabad	Co-opted Member
4	The Commissioner; APVVP; Hyderabad	Co-opted Member
5	The Commissioner, WD&CW;	Co-opted Member
6	The Commissioner, I&PR	Co-opted Member
7	The Commissioner; Panchayat Raj & Rural Development	Co-opted Member

1) <u>THE TERM OF THE COMMITTEE</u>:

1) The Committee will meet once in TWO MONTHS

2) Even though the intervene period of each meeting will be TWO MONTHS; the special meeting may be convened by the Chairperson / Chairman or Member-Convener of the Committee will depending upon necessity or by nature of emergency etc.

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3) Submit the report to the Chairperson, State Appropriate Authority regarding their action plan / action taken report relating to the inspection and monitoring of PC&PNDT Activities in the State.

4) The action initiated against the violators of the provisions of Act and Rules with the help of the Collector & District Magistrate who is the Chairperson / Chairman, District Level Multi-Member Appropriate Authority (PC&PNDT Act) or the District Medical and Health Officer, who is the Member Secretary / Convener, District Level Multi-Member Appropriate Authority at district level.

5) The action initiated against the violators of the provisions of Act and Rules at sub-district level with the help of the Revenue Division Officer who is the Chairperson / Chairman, Sub-District Level Multi-Member Appropriate Authority (PC&PNDT Act) or the Programme Officer in the office of the District Medical and Health Officer, who is the Member Secretary / Convener, Sub-District Level Multi-Member Appropriate Authority at sub-district level.

6) The Term of the Committee is THREE YEARS. The term will be extended for ONE MORE YEAR by the State Supervisory Board / State Government on the basis of proposal submitted by the Chairperson / Chairman, State Level Inspection & Monitoring Committee or Chairperson / Chairman, Multi-Member State Appropriate Authority for PC&PNDT Act duly submitting proposal well in advance to the State Supervisory Board / State Government.

7) The term of office of a member other than ex-officio member shall be THREE YEARS. It can be extended for a period of ONE MORE YEAR by Chairperson / Chairman, State Level Inspection & Monitoring Committee or Chairperson / Chairman, Multi-Member State Appropriate Authority for PC&PNDT Act duly submitting proposal well in advance to the State Supervisory Board / State Government.

8) If a vacancy occurs in the office of any member other than ex-officio member it shall be filled by making fresh appointment. Relevant proposal has to submit to the State Supervisory Board / Government

9) In case of ex-officio member membership falls vacant due to any reason such as transfer, promotion, retirement by superannuationing of age or voluntary retirement, retrenchment, and dismissal from service etc., it can be filled automatically by the successor or in-charge of such post as the member of the Committee will be appointed by DESIGNATION ONLY.

10) One-third of the total number of members of the Committee shall constitute the quorum.

11) The Committee may co-opt a member as and when required, provided that the number co-opted member does not exceed one-third of the total strength of the Committee.

12) The co-opted members shall have the same powers and functions as other members, except the right to vote and shall abide by the rules and regulations.

13) In respect of the matter not specified in the above terms and conditions, the Chairperson / Chairman, State Inspection & Monitoring Committee or State Appropriate Authority shall follow the procedure and conditions as are applicable to Committee or State Appropriate Authority; which are specified by the Pre-Conception & Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 and Rules 1996 (including amendments time to time carried out to the Act and Rules by Government of India, as and when circulated to the State Appropriate Authority / statutory body) or Central Supervisory Board or Government of India or State Supervisory Board or State Government etc.

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14) All tour programme / action-plan of the Committee members should be circulated to the Commissioner of Health & Family Welfare; AP; for prior approval under intimation to the State Nodal Officer (PC&PNDT) and Additional Director (MCH)

15) The Department of Health & Family Welfare (Chairperson / Chairmen; State Appropriate Authority) will pay TA / DA to the non-official members of the Team as admissible under existing rules for the prior approved tour programme. Their tour programme has to approved priority by the Chairperson / Chairman; State Appropriate Authority or Chairperson / Chairman, State Inspection & Monitoring Committee i. e., Commissioner of Health & Family Welfare; AP; Hyderabad.

16) In respect of TA / DA of Ex-Officio members the tour programme has also to be circulated in advance to the Commissioner of Health & Family Welfare and the Chairperson / Chairman, State Level Inspection and Monitoring Committee under intimation to the State Nodal Officer (PC&PNDT) / Additional Director (MCH). The TA / DA will be met from their respective departmental budget.

2) <u>FUNCTIONS OF THE COMMITTEE:</u>

1. Visit vulnerable districts as per the directions of the Chairperson Chairman, State Supervisory Board or State Level Inspection and Monitoring Committee or State Appropriate Authority and submit regular report to the State Supervisory Board or to the Chairperson / Chairman, State Level Inspection & Monitoring Committee or State Appropriate Authority i. e Commissioner of Health and Family Welfare, AP or to the State Nodal Officer (PC&PNDT) / Additional Director (MCH), O/o CH&FW, AP, Hyderabad. The districts to be visited by the authorized teams will be finalized by the Chairperson / Chairman, State Level Inspection and Monitoring Committee / the Chairperson / Chairman, Multi-Member State Appropriate Authority with the help of the State Nodal Officer (PC&PNDT) / Additional Director (MCH)

2. Inspection and monitoring of registration and renewal of Genetic Counselling Centres, Genetic Laboratories, Genetic Clinics, Ultra-sound Clinics and Imaging Centres etc., using ultra-sound machines / equipment which capable of detecting sex of foetus or pre-conception selection of sex with the Appropriate Authorities at level of District and Sub-District.

3. Monitoring of prosecution launched against un-registered bodies and violators of provisions of the Act and Rules and Orders of the Hon'ble Supreme Court of India or any other Hon'ble Courts.

4. Monitoring of compliances of Hon'ble Supreme Court of India orders and other Court orders issued on PC&PNDT Act.

5. In addition to the routine inspection and monitoring of the implementation of the Act in the State, these authorized teams should render their study, analysis and trend of increase or decrease on survey, feed-back of study of low sex ratio areas, institutional deliveries, high rate MTPs taken place in the districts and the reasons thereof. The study report should be submitted the state authority immediately after completion of the assigned activity.

6. Should study and analyze the implementation of the of the IEC and activities generated for social and public awareness being pursued in District for implementation of the Act

7. Should study the implementation of the mapping of Genetic Counselling Centres, Genetic Laboratories, Genetic Clinics, Ultra-Sound Clinics and Imaging Centres etc. bodies using ultrasound machines / equipment which are capable of detecting sex of the foetus or pre-conception selection of sex with the help of District Appropriate Authorities at the District and Sub-District Level.

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8. During the field visit, 3 to 4 members of the Committee may go as a team to inspect the premises covered under the Act. Among them at least one member should be a member from Gyn. and Obst, or Paediatrics or Genetics or Radiologist category and the legal assistance will be obtained from the District or Sub-District Appropriate Authority or

9. If any team visit any area, the Regional Director Medical and Health Services concerned will lead the team and he/she have responsibility for submission of the tour report / inspection report / action taken report etc to the State Appropriate Authority and to the State Nodal Officer. Further he/she has to ensure the reflection of the same in the current or next Quarterly Report of district concern, which should be submitted to the State Appropriate Authority.

10. Any other assignment as prescribed by the Act and the Central Supervisory Board or Ministry of Health and Family Welfare of Government of India

11. Any other assignment as directed by the Hon'ble Supreme Court of India, New Delhi and other appropriate Courts in India.

12. Any other assignment as prescribed by the Act and Chairperson / Chairman, State Supervisory Board, State Level Inspection and Monitoring Committee or any appropriate and competent authority.

3) <u>DISQUALIFICATIONS FOR APPOINTMENT AS MEMBER</u>:

A person shall be disqualified for being appointed as member, if he

1) Has convicted and sentenced to imprisonment for an offence which, in the opinion of the Central Government / State Government / State Supervisory Board / State Appropriate Authority, involves moral turpitude; or

2) Is an un-discharged insolvent; or

3) Is of un-sound mind and stands so declared by a competent court; or

4) Has been removed or dismissed from the service of Government or a Corporation owned or controlled by the Government; or

5) Has, in the opinion of the Central Government / State Government / State Supervisory Board / State Appropriate Authority, such financial or other interest in the Committee as is likely to affect prejudicially the discharge by him of his functions as a member; or

6) Has, in the opinion of the Central Government / State Government / State Supervisory Board / State Appropriate Authority, been associated with the use or promotion of pre-natal diagnostic techniques for determination of sex or with any sex selection techniques.

4) <u>ELIGIBILITY OF MEMBER FOR REAPPOINTMENT</u>:

Subject to the other terms and conditions of service as may be prescribed, any person ceasing to be a member shall be eligible for re-appointment as such member, provided that no member other than an ex-officio member shall be appointed for more than <u>THREE CONSECUTIVE TERMS</u>. If extension of consecutive term of above (THREE) prescribed term of a particular member, the Chairperson, State Advisory Committee should submit the justification for extension of consecutive term of such member.

(P.T.O)

5. The Commissioner of Health and Family Welfare, AP., Hyderabad shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

POONAM MALAKONDAIAH,
PRINCIPAL SECRETARY TO GOVERNMENT.

To
The Commissioner of Health & Family Welfare, Andhra Pradesh, Hyderabad.
The Chairperson / Chairman, State Appropriate Authority for PC&PNDT Act and Additional Director (MCH); O/o Commissioner of Health & Family Welfare, Andhra Pradesh; Hyderabad
All Members; State Level Inspection & Monitoring Committee (SLIMC) for PC&PNDT Act.
All Collectors & District Magistrates (Chairpersons / Chairman, District Advisory Committee for PC&PNDT Act) in the State
All District Medical & Health Officers (District Appropriate Authorities for PC&PNDT Act) in the State

Copy to:-

The Principal Secretary to Government; Women Development; Child Welfare & Disabled Welfare Dept; AP Sectt; Hyderabad.
The Director; Women Development & Child Welfare; (Yousufguda; Hyderabad) AP; Hyderabad
The Secretary to Government (Legal Affairs & Justice); Law Department; AP Sectt; Hyderabad
The Commissioner; Tribal Welfare; Samkshema Bhawan; Masub Tank; Hyderabad
The Commissioner, AP Vaidhya Vidhana Parishad, Hyderabad ,
The Director; Public Health & Family Welfare; Andhra Pradesh; Hyderabad
The Director of Medical Education; AP; Hyderabad.
The P. S. to Minister (HM&FW Dept) AP Sectt; Hyderabad.
The Joint Secretary to Hon'ble Chief Minister; Government of Andhra Pradesh; Sectt; Hyderabad
The Joint Secretary to Government of India, M/H&FW; Nirman Bhawan; New Delhi
The Director (PNDT); Government of India, M/H&FW; Nirman Bhawan; New Delhi
The Section Officer (PNDT) Government of India, M/H&FW; Nirman Bhawan; New Delhi
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// FORWARDED :: BY ORDER //

SECTION OFFICER.